EXHIBIT 12

INDIANO & WILLIAMS, P.S.C.

David C. Indiano* • Jeffrey M. Williams
Seth Erbe • Ada Sofia Esteves • Mariluz Lazcano • Jaime A. Torrens • Ingrid M. Rodriguez

June 29, 2007

VIA FAX AND REGULAR MAIL
787-751-2520
Antonio Valiente
Nigaglioni & Ferraiuoli
255 Recinto Sur Street, Suite 2
San Juan, Puerto Rico 00901

RE: American Waste Management & Recycling, LLC
O/F: (584) 693-001

Dear Antonio:

I write to you today regarding the permission that was issued by you to my client yesterday to remove the containers at the CEMEX site, which your client subsequently revoked. As you know, this situation is totally unwarranted and your groundless refusal is inadvisable, particularly when it is clear my client dismantled the material.

Your actions are causing grave damages to my client, as that material was already sold to a third party, and just yesterday, and *relying on your written permission*, arrangements were made with truckers to remove the containers from the site and for shipping. Besides the cancellation charges, my client is now faced with additional chassis demurrage charges, container demurrage charges, and cancellations and (and damages) resulting from buyers who had contracted for the purchase of that material, among others. This detrimental reliance on your actions caused my client grave damages, for which we will hold Ecoterra directly responsible.

I take this opportunity to ask you to please instruct your client not to communicate directly with mine, and that all communication be done only through us. As you can see, yesterday's email revoking the permission you originally granted, was sent to 4 different AWMR personnel.

Cordially,

Ada Sofia Esteves

c. Rafael Mullet, Esq. (Via e-mail and regular mail); Mr. Abe Shah

Dockets.Justia.com